IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

Bail Appl..No. 4003 of 2007(S)

CRIME NO.309 OF 2007 OF IRINJALAKUDA POLICE STATION

: PETITIONERS:

---

1. SANTHEEP KUMAR K., AGED 23 YEARS,
   S/O. GOPINATHAN, KUNNATH VEEDU, ARATTUPUZHA P.O.,
   THRISSUR DISTRICT.

2. SUDHEESH K., AGED 18 YEARS,
   S/O. MURALIDHARAN, KUNNATH VEEDU,ARATTUPUZHA P.O.,
   THRISSUR DISTRICT.

BY ADV. SRI.RAJESH CHAKYAT

RESPONDENTS:

THE SUB INSPECTOR OF POLICE,
IRINJALAKUDA POLICE STATION, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4003 of 2007

Dated this the 18th day of July, 2007

ORDER

Application for anticipatory bail. The petitioners apprehend arrest on the allegation that they have committed the offences punishable under Sections 448 and 332 read with 34 I.P.C. The learned Public Prosecutor submitted that the petitioners have not been arrayed as accused so far and they are not required to be arrested in connection with the crime, ie. Crime No.309 of 2007 of Irinjalakuda Police Station. I am satisfied that the said submissions of the learned Public Prosecutor can be accepted. The apprehension of the petitioners is, in these circumstances, found to be baseless.

2. This application for anticipatory bail is, in these circumstances, dismissed accepting the submission of the learned Public Prosecutor that the petitioners have not so far been arrayed as accused and are not required to be arrested now. The learned Public Prosecutor submits and the said submission is accepted that if the petitioners were, at any later point of time, required to be arrested, appropriate application shall be filed before this Court and further directions shall be sought.

(R.BASANT, JUDGE)

rtr/-

R.BASANT, J

B.A.No.4003 of 2007

Dated this the 3rd day of July, 2007

ORDER

Petitioners apprehend arrest in a crime registered under Sections 448 and 332 r/w 34 I.P.C. Consequent to power failure, some consumers and their relatives are allegedly rushed into the K.S.E.B office demanding restoration of power supply. In the course of that incident, they are alleged to have committed the offence under Section 332 I.P.C. That is the only non bailable offence alleged in the crime. Petitioners, who are others and relatives of some of the customers apprehend arrest.

2. The learned Public Prosecutor submits that the investigation is in progress and it is too early to specify whether the petitioners are required to be arrested as accused. I am satisfied, that interim directions can be issued and the Investigator can be given some time to specify whether the petitioners are required to be arrested or not.

3. The case shall be called again on 17.07.2007. The learned Public Prosecutor shall take instructions as to whether the petitioners are required to be arrested. If in the meantime they were arrested, they shall be released on their executing a bond without sureties for Rs.25,000/- (Rupees Twenty five thousand only). In the event of such arrest and release, the petitioners shall appear in person before this

Court on the next date of posting.

(R.BASANT, JUDGE)

rtr/-